

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

CrI.MC.No. 3995 of 2006()

AGAINST THE JUDGEMENT/ORDER IN BA.5677/2006 Dated 20/09/2006

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PETITIONER: ACCUSED:

ELDO, S/O.OUSEPH, AGED 35 YEARS,
VELIYATHUKURI, THRIKKAIPETTA,
MEPPADY PANCHAYATH, MUNDUPARA.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS: COMPLAINANT;

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR (REPRESENTING EXCISE
INSPECTOR, KALPETTA EXCISE RANGE),
HIGH COURT OF KERALA, ERNAKULAM.

BY P.P. SRI.K.A. AKBAR.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 3995 OF 2006

Dated this the 13th day of December, 2006

ORDER

The petitioner, who was released on bail, as per order dated 20/9/2006, has come before this Court to explain his inability to appear before the Investigating Officer, as directed by this Court and for deletion of the condition that he must appear before the Investigating Officer once in a week on all Mondays for a period of three months from 25/9/2006.

2. The learned Public Prosecutor reports that there has been contumacious failure to comply with the condition from 6/11/2006. The learned counsel for the petitioner points out that the petitioner was hospitalised and was laid up and that is why he could not comply with the condition.

3. In the circumstances brought to the notice of this Court, I am satisfied that there can be a direction that the omission of the petitioner to appear before the Investigating Officer from 6/11/2006 to this day can be condoned. The petitioner shall continue to comply with the condition for the

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next three weeks starting from 18/12/2006. Thereafter, the condition shall stand deleted.

4. This Crl.M.C. is allowed to the above extent.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge